

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Larry Allen Wares                      Examiner: Romain Jeanty  
Serial No.: 09/771,142                              Group Art Unit: 3623  
Filed: January 26, 2001                              Docket: G&C 30566.221-US-U1  
Title: E-COMMERCE BID AND PROJECT MANAGEMENT SYSTEM AND  
METHOD FOR THE CONSTRUCTION INDUSTRY

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DECLARATION UNDER 37 C.F.R. §1.131

I, Larry Allen Wares, declare as follows:

1. I am the inventor of the subject matter described and claimed in the patent application identified above.
2. Prior to November 1, 1999, I conceived the invention and thereafter diligently reduced it to practice in this country as evidenced by the following:
  - (a) I conceived the invention described in the above-identified patent application in this country prior to November 1, 1999, as evidenced by the United States Provisional Patent Application No. 60/178,825, filed on January 28, 2000, from which this application claims priority. This application describes my invention, and fully supports the claims in the above-identified patent application.
  - (b) Attachment E of United States Provisional Patent Application No. 60/178,825, comprises 12 pages entitled "Functional Specifications For: Bid Manager-Phase 1," wherein pages 2-12 are annotated at the bottom with "Prepared by Larry Wares / March 30, 1999." This is the date that I completed the document, which is prior to November 1, 1999. Thus, this document is evidence of my conception of the invention at least as early as March 30, 1999.
  - (c) Attachment F of United States Provisional Patent Application No. 60/178,825, comprises 57 pages entitled "Project Development and Manual," wherein page 2 is dated July 5<sup>th</sup>, 1999 and pages 3-54 are annotated at the bottom with "07/05/99." This is the date that Primix Solutions, Inc. completed the document, which is prior to November 1, 1999. This document reflects work that Primix Solutions, Inc. and logical-E performed at my direction regarding the requirements definition for the implementation of the present

invention. Thus, this document is evidence of efforts toward reduction to practice of the invention from July 5, 1999.

(d) Attachment G of United States Provisional Patent Application No. 60/178,825, comprises 196 pages entitled "Buzzsaw Bid System," wherein page 2 is annotated with a creation date of "08/01/99" and updated dates through "10/28/99." These are the dates that eBuilt, Inc. initially created and then updated the document, which is prior to November 1, 1999. This document reflects work that eBuilt, Inc. performed at my direction regarding the functional specification and system design for the implementation of the present invention. Thus, this document is evidence of efforts toward reduction to practice of the invention from August 1, 1999 through at least October 28, 1999.

(e) Development of the invention proceeded on a continuous basis from March 30, 1999, which is prior to November 1, 1999, eventually culminating in the filing of the United States Provisional Patent Application No. 60/178,825 on January 28, 2000.

3. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by a fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11/6/06

Signed: L. Wares  
Name: Larry Allen Wares